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by means of a passenger elevator, as is required of a carrier of passengers horizontally by means of railway cars or stage coaches, that is, the highest degree of care is required.

Party Walls—Use in Common.—*Deere, Wells & Co. v. Weir-Sheegart Co.*, 59 N. W. Rep. 255. Where a wooden warehouse is framed against a brick wall in a permanent manner, even though its timbers are not let into the wall for support, nevertheless the attachment forms an enclosure and makes such a use in common of the wall that the owner is entitled to recover for its use and one-half value.

Railroad Company—Failure to Fence Tracks—Resulting Injuries to Employés.—*Dickson v. Omaha & St. L. R.R. Co.*, 27 S. W. R. 476 (Missouri). Plaintiff's husband, an engineer, was killed by the overturning of locomotive, due to the locomotive running over a bull, which had strayed on to the track through a defective fence. It was held that though the statute requiring railroad corporations to fence their tracks, only in express terms gives to the owners of cattle or other animals killed or injured, in consequence of a neglect to perform this duty, a right of action, yet that the law was designed likewise for the protection and safety of the traveling public whether as passengers or employés. The duty of a master to his servant requires the exercise of reasonable care not only to provide safe, adequate and suitable machinery and appliances for his use, but also to keep the premises upon which he is required to work in a condition reasonably safe and secure for the performance of the duties required of him; and there seems to be no reason why, at common-law, the railroad company would not as well be required to use reasonable care to prevent obstructions in the shape of cattle on its tracks as to see that the ties and rails are sound.

Receivers—Deposits and Payments.—*Eccles v. Drovers' & Mechanics Nat. Bank*, 29 At. Rep. 963 (Md.). Where the money of an individual is deposited by the receiver of a corporation to his own credit, as receiver, the latter is justified in giving a check to the individual in payment of the obligation, as the corporation is liable for the same.

Statute of Frauds—Sufficiency of Memorandum.—*Williams v. Smith*, 37 N. E. Rep. 455 (Mass.). A letter which merely states the proposal and acknowledges the giving an option on certain land does